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Sarah Link Schultz (admitted *pro hac vice*)

Counsel to the Official Committee of Unsecured Creditors

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
: Case No. 13-23060 (RDD)
EXCEL MARITIME CARRIERS LTD., et al. :
: (Jointly Administered)
Debtors. :
-----x

**FIFTH MONTHLY FEE STATEMENT OF AKIN GUMP STRAUSS HAUER &
FELD LLP FOR COMPENSATION FOR SERVICES AND REIMBURSEMENT OF
EXPENSES AS COUNSEL FOR THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS FROM NOVEMBER 1, 2013 THROUGH NOVEMBER 30, 2013**

Name of Applicant:	Akin Gump Strauss Hauer & Feld LLP ("Akin Gump")
Date of Retention:	Order entered on September 12, 2013 retaining Akin Gump Strauss Hauer & Feld LLP <i>nunc pro tunc</i> to July 10, 2013 [Docket No. 318]
Period for which compensation and reimbursement is sought:	November 1, 2013 through November 30, 2013 (the "Fee Period")

Amount of compensation sought as actual, reasonable and necessary: \$221,580.00

Amount of expense reimbursement sought as actual, reasonable and necessary: \$10,859.73

This statement is the fifth monthly fee statement (the “***Fee Statement***”) of Akin Gump, counsel to the Official Committee of Unsecured Creditors (the “***Committee***”) of Excel Maritime Carriers Ltd., *et al.* (collectively, the “***Debtors***”) filed pursuant to the *Order Pursuant to 11 U.S.C. §§ 105(a) and 331, Fed. R. Bankr. P. 2016 and LBR S.D.N.Y. 2016-1 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* [Docket No. 289] (the “***Interim Compensation Order***”). Akin Gump requests payment in accordance with the provisions of the Interim Compensation Order in the amount of (i) \$177,264.00 (80% of \$221,580.00) on account of actual, reasonable and necessary professional services rendered to the Committee by Akin Gump during the Fee Period and (ii) \$10,859.73 on account of reimbursement of actual, reasonable and necessary costs and expenses incurred by Akin Gump during the Fee Period.

Attached as **Exhibit A** hereto is a detailed itemization and description of the services that Akin Gump rendered during the Fee Period. Specifically, with respect to each individual who provided services on the Committee’s behalf during the Fee Period, **Exhibit A** (i) identifies the individuals that rendered services in each subject matter, (ii) describes each activity or service that each individual performed and (iii) states the number of hours (in increments of one-tenth of an hour) spent by each individual providing the services. Attached as **Exhibit B** hereto is a list of individuals and their respective titles who provided services during the Fee Period that includes information regarding their respective billing rates and the total number hours spent by each individual providing services during the Fee Period. Attached as **Exhibit C** hereto is the summary of expenses by type. Attached as **Exhibit D** hereto is the invoice of Kyriakides

Georgopoulos Law Firm (“**KG Law Firm**”), foreign counsel to the Committee. Akin Gump seeks payment of the amounts invoiced by KG Law Firm as an expense in accordance with the terms of the *Order Authorizing the Official Committee of Unsecured Creditors of Excel Maritime Carriers Ltd., et al., to Retain and Employ Akin Gump Strauss Hauer & Feld LLP as Counsel, Nunc Pro Tunc to July 10, 2013* [Docket No. 318].

Notice

Akin Gump has provided notice of this Fee Statement to: (i) counsel to the Debtors, Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036, Attn: Jay M. Goffman and Mark A. McDermott; (ii) the office of the U.S. Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014, Attn: Paul K. Schwartzberg; (iii) counsel to the steering committee of certain secured lenders under the Debtors' senior secured credit facility, Holland & Knight LLP, 10 St. James Avenue, Boston, MA 02116, Attn: John J. Monaghan; and (iv) to the Debtors via electronic mail to their counsel, at shana.elberg@skadden.com and julie.lanz@skadden.com.

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WHEREFORE, pursuant to the Interim Compensation Order, Akin Gump requests: (i) payment of compensation in the amount of (i) \$177,264.00 (80% of \$221,580.00) on account of actual, reasonable and necessary professional services rendered to the Committee by Akin Gump and (ii) reimbursement of actual, reasonable and necessary costs and expenses in the amount of \$10,859.73 incurred on behalf of the Committee by Akin Gump.

New York, New York
Dated: December 20, 2013

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Michael S. Stamer
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Counsel to the Official Committee of Unsecured Creditors

Exhibit A



EXCEL MARITIME CARRIERS LTD. AD HOC NOTE
ATTN: PAVLOS KANELLOPOULOS
17TH KM NATIONAL ROAD ATHENS
LAMIA & FINIKOS STREET
145-64 NEA KIFISIA
ATHENS 14564
GREECE

Invoice Number 1517259
Invoice Date 12/19/13
Client Number 691516
Matter Number 0002

Re: EXCEL UCC

FOR PROFESSIONAL SERVICES RENDERED THROUGH 11/30/13 :

MATTER SUMMARY OF TIME BILLED BY TASK :

		<u>HOURS</u>	<u>VALUE</u>
0002	General Case Administration	20.10	\$17,749.00
0003	Akin Gump Fee Application/Monthly Billing Reports	15.90	\$6,705.00
0004	Analysis of Other Professionals Fee Applications/Reports	11.30	\$5,437.50
0005	Review/Preparation of Schedules, Statements	1.00	\$400.00
0006	Retention of Professionals	0.30	\$120.00
0007	Creditors Committee Meetings	14.80	\$11,401.00
0008	Court Hearings	2.90	\$2,669.50
0010	DIP Exit Financing	4.90	\$3,705.00
0015	Analysis of Secured Claims/Adequate Protection Issues	3.60	\$1,889.00
0017	Adversary Proceedings/Litigation Matters	3.50	\$2,609.00
0021	Exclusivity	2.40	\$1,435.00
0022	Plan/Disclosure Statement/Solicitation and Related Documentation	229.10	\$166,375.00
0027	General Corporate Matters	1.40	\$1,085.00
	TOTAL	311.20	\$221,580.00

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>		<u>Hours</u>
11/01/13	BRK	0002	Update case calendar.	0.40
11/01/13	KME	0002	Draft holder NDA.	0.70
11/05/13	MSS	0002	Review relevant documents (.8); telephone calls and emails with Akin and Jefferies teams (.8); telephone calls and emails with company counsel (.4); telephone calls with client representatives (.5).	2.50
11/06/13	MSS	0002	Review relevant documents (.8); telephone calls and emails with various parties regarding various issues (1.3).	2.10
11/06/13	BRK	0002	Update case calendar.	0.20
11/07/13	MSS	0002	Review relevant materials (.6); telephone calls and emails with various parties regarding various issues (.8).	1.40
11/07/13	BRK	0002	Update case calendar.	0.20
11/08/13	MSS	0002	Review relevant documents (.6); telephone calls and emails with various parties regarding various issues (.8).	1.40
11/11/13	SLS	0002	Call with M. Stamer and D. Fisher regarding case status.	0.10
11/11/13	MSS	0002	Review relevant materials (.3); telephone calls with various parties regarding various issues (.5).	0.80
11/12/13	MSS	0002	Review relevant materials (.5); telephone calls and emails with various parties regarding various issues (.6).	1.10
11/13/13	MSS	0002	Review relevant materials (.5); telephone calls and emails with various parties regarding status (.8).	1.30
11/14/13	MSS	0002	Review relevant materials (.6); telephone calls and emails with various parties regarding various issues (.8).	1.40
11/14/13	KME	0002	Confer with AG team regarding case calendar (.1); review updated calendar (.1).	0.20
11/14/13	JKL	0002	Update case calendar.	0.30
11/15/13	MSS	0002	Telephone calls and emails with Akin and Jefferies and client representatives (.5); review relevant documents (.6).	1.10
11/15/13	KME	0002	Confer with AG team regarding conflicts counsel issue (.2, .1); revise draft email to UCC regarding same (.3); send same to UCC (.1); review emails regarding scheduling issues (.1).	0.80
11/15/13	KME	0002	Review letters from Hellenic Finance Ministry regarding service issue.	0.20
11/15/13	JSS	0002	Draft and revise note to Committee regarding conflicts counsel issue (1.3); discuss same with S. Schultz (.1).	1.40
11/18/13	SEO	0002	Confer with S. Schultz regarding scheduling (.2); review press clippings (.1); confer with M. Stamer (.3).	0.60
11/19/13	JSS	0002	Discuss status conference with S. Schultz.	0.20
11/20/13	JKL	0002	Update case calendar.	0.20
11/27/13	KME	0002	Calls with creditor regarding case status (.2, .3); confer with AG team regarding case calendar (.1).	0.60
11/27/13	JKL	0002	Update case calendar.	0.90
11/04/13	RT	0003	Reviewed bills for contract attorney services for document review.	0.20
11/08/13	JSS	0003	Begin review of Akin Gump October pre-bill for privilege and task codes.	1.70
11/11/13	JSS	0003	Review Akin Gump October pre-bill for privilege issues and task codes (4.1); discuss same with K. Prater (.1).	4.20
11/11/13	JKL	0003	Review interim fee applications.	0.30
11/12/13	JSS	0003	Continue review of Akin Gump October pre-bill for privilege issues and task codes (1.7); email to K. Eide regarding same (.1).	1.80
11/17/13	KME	0003	Review AG pre-bill for privilege and task codes.	3.00
11/19/13	JKL	0003	Assemble fee statement cover pages.	1.20
11/20/13	KME	0003	Review AG monthly invoice (.4); confer with AG team regarding same (.2); review and revise cover sheet for AG fee statement (.3); coordination regarding filing of AG fee statement (.2, .1).	1.20
11/20/13	JKL	0003	Update fee statement cover pages (.7); redact invoice (.3); file fee statement (.3); serve same (.1).	1.40

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>		<u>Hours</u>
11/21/13	JKL	0003	Prepare affidavit of service for fee statements.	0.90
11/05/13	JSS	0004	Review lenders' professionals fee statement.	0.70
11/06/13	KME	0004	Review status of AG fee statements (.1); review of interim comp procedures order (.2); follow-up with Debtors' counsel regarding fee statements (.1).	0.40
11/08/13	JSS	0004	Review lender's professional's invoice (1.3); review Debtors' filing regarding ordinary course professional payments (.1).	1.40
11/11/13	KME	0004	Locate and review sample interim fee applications (.9); call with Robbins Russell regarding interim fee application process (.1).	1.00
11/14/13	KME	0004	Review tax invoice from Greek counsel.	0.20
11/18/13	JKL	0004	Review Robbins fee statement.	0.10
11/20/13	SLS	0004	Prepare exhibit to fee statement (.4); review fee statement for filing (.3).	0.70
11/20/13	KME	0004	Review Jefferies fee statement for privilege (.7); emails with Jefferies team regarding same (.1); coordination regarding filing of same (.1).	0.90
11/20/13	JKL	0004	File Jefferies fee statement (.3); serve same (.1).	0.40
11/21/13	JSS	0004	Review Debtors' professional's monthly fee statements.	2.60
11/22/13	JSS	0004	Continue review of Debtors' professionals' fee statements (1.4); emails to K. Eide (.1) and S. Schultz (.1) regarding same.	1.60
11/25/13	KME	0004	Review professional fee summary.	0.30
11/25/13	JSS	0004	Research regarding professional fees (.6); draft and send email regarding same to K. Eide (.4).	1.00
11/27/13	JSS	0005	Review amended schedules (.9); email to S. Schultz and K. Eide regarding same (.1).	1.00
11/08/13	JSS	0006	Review Marsoft retention order and compare with version submitted to Court (.2); send email to K. Eide and S. Schultz regarding same (.1).	0.30
11/06/13	SLS	0007	Professionals' pre-call (.2) and UCC call (.3); follow-up call with M. Stamer regarding same (.2).	0.70
11/06/13	KME	0007	Confer with AG team regarding UCC update call (.1, .1); prepare call list (.1).	0.30
11/06/13	DIF	0007	Committee pre-call (.2) and UCC call (.3) and follow up (.3).	0.80
11/06/13	JSS	0007	Participate in professionals' pre-call (.1) (portion) and Committee call (.1) (portion).	0.20
11/13/13	SLS	0007	Participate in professionals' call (.3) and UCC call (.3).	0.60
11/13/13	MSS	0007	Participate in pre-call (.3) and UCC call (.3) and follow up (.2).	0.80
11/13/13	KME	0007	Advisors' pre-call (.3); UCC update call (.2) (partial).	0.50
11/13/13	DIF	0007	Committee pre-call (.3) and UCC call (.3) and follow up (.1).	0.70
11/13/13	JSS	0007	Participate in professionals' pre-call (.3); participate in weekly update call with the Committee (.3); update contact list for weekly update call (.3).	0.90
11/14/13	DIF	0007	Call with UCC members.	0.30
11/18/13	SLS	0007	Communication to UCC regarding upcoming call (.1); review Jefferies materials regarding same (.3); participate in professionals' pre-call (.2); participate in UCC call (.4); follow-up communication with M. Stamer regarding same (.2).	1.20
11/18/13	MSS	0007	Participate in pre-call (.2) and UCC call (.4) and follow up (.8).	1.40
11/18/13	SEO	0007	Participate in pre-UCC call (.2); participate in UCC call (.4); prepare for same (.2).	0.80
11/18/13	KME	0007	Prepare for UCC call (.1); advisors' pre-call (.2); UCC update call (.4).	0.70
11/18/13	DIF	0007	Participate in pre-call (.2) and UCC call (.4) and follow-up (.2).	0.80
11/18/13	JSS	0007	Participate in Committee Professionals' pre-call (.2); participate in update call with the Committee (.4); related follow-up (.1).	0.70
11/20/13	MSS	0007	Prepare for and participate in committee call.	0.60
11/26/13	SLS	0007	Participate in professionals' pre-call (.3); participate in UCC call (.6); related follow-up communications with M. Stamer and D. Fisher regarding same (.2).	1.10
11/26/13	KME	0007	Professionals' pre-call (.3); UCC update call (.4) (partial).	0.70
11/26/13	JSS	0007	Participate in professionals' pre-call (.3); call with Committee (.6);	1.00

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>	<u>Hours</u>	
11/05/13	SLS	0008	prepare for same calls (.1). Call with court regarding case status.	0.30
11/05/13	MSS	0008	Prepare for (.1) and participate in telephonic chambers (.3) conference.	0.40
11/19/13	SLS	0008	Participate in chambers' conference (.3); telephone call with M. Stamer regarding same (.2); communication to UCC regarding same (.3).	0.80
11/19/13	MSS	0008	Prepare for and participate in telephonic chambers conf (.3) and follow up (.3).	0.60
11/19/13	SEO	0008	Prepare for (.2) and attend teleconference with chambers (.3).	0.50
11/19/13	SG	0008	Participate in telephonic court conference.	0.30
11/06/13	KME	0010	Review and circulate cash collateral budget.	0.10
11/16/13	KME	0010	Emails regarding cash collateral stipulation.	0.10
11/17/13	SLS	0010	Begin review of agreement to use cash collateral.	0.50
11/18/13	SLS	0010	Review proposed cash collateral stipulation (.5); telephone call with M. Stamer regarding same (.2); communication to S. Elberg regarding same (.1, .1, .1).	1.00
11/18/13	KME	0010	Review draft cash collateral stipulation.	2.10
11/20/13	SLS	0010	Review proposed revisions to cash collateral order (.2); communication to M. Stamer and K. Eide regarding same (.1).	0.30
11/21/13	SLS	0010	Telephone call regarding cash collateral order with M. Stamer (.2); telephone call with M. McDermott regarding same (.1)	0.30
11/22/13	SLS	0010	Review revised cash collateral order (.2); communications with M. Stamer (.1) and S. Elberg (.1, .1) regarding same.	0.50
11/01/13	SLS	0015	Communications with conflicts counsel regarding lien review deadline (.1); review stipulation extending same (.1); communication with J. Monaghan (.1) and K. Eide (.1) regarding same.	0.40
11/04/13	KME	0015	Review and circulate lien challenge period stipulated order.	0.20
11/14/13	KME	0015	Draft stipulation extending lien challenge period (.4); follow-up regarding same (.2, .3).	0.90
11/14/13	JKL	0015	Review stipulation to extend lien challenge period.	0.80
11/15/13	KME	0015	Coordination regarding finalization of lien challenge period stipulation (.1); prepare stip for filing (.2); draft email to chambers regarding same (.1); review and circulate stip to UCC advisors (.2).	0.60
11/18/13	JSS	0015	Research regarding Nordea facility issues (.5); send email to K. Eide regarding same (.2).	0.70
11/01/13	KME	0017	Draft lien challenge period extension stip (.4); prepare submission copy and send stip to chambers (.2).	0.60
11/07/13	SEO	0017	Follow-up regarding court call and settlement.	0.20
11/14/13	SEO	0017	Review settlement proposal (1.0); confer with team regarding same (.2); prepare for oral argument (.3).	1.50
11/23/13	SLS	0017	Communications with J. Sharp regarding revised Ore Hansa settlement motion (.1, .2).	0.30
11/23/13	KME	0017	Review revised draft Ore Hansa 9019 motion (.3); emails regarding same (.1).	0.40
11/23/13	JSS	0017	Review Ore Hansa 9019 motion and proposed order (.3); email to S. Schultz regarding same (.1).	0.40
11/27/13	KME	0017	Review filed version of Ore Hansa 9019 motion.	0.10
11/05/13	KME	0021	Confer with AG team regarding exclusivity issues (.1); follow-up regarding same (.1).	0.20
11/06/13	KME	0021	Confer with S. Schultz regarding exclusivity issues.	0.10
11/23/13	SLS	0021	Communications with K. Eide (.1, .2) and M. Stamer (.2) regarding motion to extend exclusivity	0.50
11/23/13	KME	0021	Review exclusivity motion (.4); emails regarding same (.1).	0.50
11/23/13	JSS	0021	Email to S. Schultz regarding note advising Committee of Debtors' motion to extend exclusivity.	0.70
11/27/13	KME	0021	Emails regarding exclusivity motion.	0.20
11/27/13	JSS	0021	Revise note to Committee regarding Debtors' exclusivity extension motion.	0.20

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>		<u>Hours</u>
11/01/13	SLS	0022	Communications to Jefferies team regarding settlement analysis (.4); update call with M. Stamer regarding same (.2, .2, .2); telephone calls with R. Morgner regarding same (.2, .2); communication from N. Brown regarding same (.1); telephone call with M. Stamer and M. McDermott regarding term sheet status (.2); telephone call with M. Stamer and N. Brown regarding same (.3); communication with Akin working group regarding same (.2).	2.20
11/01/13	MSS	0022	Review relevant materials (1.2); telephone calls and emails with Akin team, Company, Ivory representatives and others regarding various mediation issues (1.3).	2.50
11/01/13	KME	0022	Review emails regarding plan negotiation status.	0.10
11/01/13	DIF	0022	Term sheet/proposal emails and calls.	1.20
11/04/13	MSS	0022	Review relevant documents (.6); telephone calls and emails with Akin team and company representatives regarding plan issues (1.2); telephone calls and emails with client representatives regarding same (.4).	2.20
11/06/13	SLS	0022	Telephone call with J. Monaghan regarding status (.2); communication to working group regarding same (.1).	0.30
11/06/13	KME	0022	Review update regarding plan term sheet status.	0.10
11/11/13	KME	0022	Confer with AG team regarding status of plan negotiations.	0.20
11/15/13	SLS	0022	Communication to working group regarding revised settlement term sheet (.2); review same (.4).	0.60
11/15/13	SEO	0022	Review term sheet (.2); confer regarding communications from court (.3).	0.50
11/15/13	KME	0022	Review revised draft plan term sheet (.4); confer with AG team regarding same (.2).	0.60
11/15/13	DIF	0022	Review revised term sheet.	1.10
11/15/13	JSS	0022	Review term sheet.	0.40
11/16/13	SLS	0022	Email to M. Stamer and D. Fisher regarding settlement term sheet (.2); communication to UCC regarding same (.3).	0.50
11/16/13	KME	0022	Review emails regarding draft term sheet (.2); initial review of revised POR and DS (1.1); review of draft confirmation timeline (.1).	1.40
11/16/13	DIF	0022	Review draft Plan documents.	1.20
11/17/13	SLS	0022	Communication with D. Fisher regarding plan documents (.1, .1, .2); began review of plan (.5); began review of disclosure statement (.5).	1.40
11/17/13	KME	0022	Research regarding rights offering issues (1.3); review of proposed plan solicitation timeline (.2); initial review of draft plan and disclosure statement (.5).	2.00
11/17/13	DIF	0022	Review draft Plan documents.	1.50
11/18/13	SLS	0022	Telephone call with D. Fisher and M. Stamer regarding case status (.2); mark-up settlement term sheet (.3); telephone call with R. Morgner regarding analysis of settlement term sheet (.3); review revised plan (2.6); review D. Fisher revisions to same (.6); review Excel's revisions to settlement term sheet (.1); communication to Akin working group regarding same (.1); telephone call with M. Stamer and M. McDermott regarding same (.2); telephone call with M. Phillips regarding same (.2); review and comment on disclosure statement (1.5).	6.10
11/18/13	MSS	0022	Review revised term sheet and related documents (2.2); calls and emails with Akin team and others regarding same (.8).	3.00
11/18/13	KME	0022	Research regarding rights offering issues (1.5); review and comment on draft POR (3.6); begin review of draft DS (.8).	5.90
11/18/13	DIF	0022	Review and comment on term sheet (.4); comment on Plan (1.8); review and comment on DS (2.1); work on sub document (1.7).	6.00
11/18/13	SDS	0022	Review and revise Subscription Agreement (3.3); calls and correspondence with internal team regarding same (.8).	4.10
11/18/13	JSS	0022	Comment on latest version of Debtors' plan (1.1); email to K. Eide regarding same (.2).	1.30
11/18/13	JKL	0022	Research re rights offering pleadings (2.1); review plan and disclosure	4.90

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>		<u>Hours</u>
11/19/13	SLS	0022	statements regarding rights offering (1.3, 1.5). Review revised plan (3.2); communication with M. McDermott regarding plan settlement term sheet (.2); telephone call with K. Eide regarding plan and disclosure statement comments (.1, .2, .1, .1); telephone call with M. McDermott regarding plan (.2); telephone call with S. Elberg regarding same (.2); communication to Skadden team regarding same (.2); review and comment on disclosure statement (2.0); telephone call to H. Ray regarding same (.2).	6.70
11/19/13	MSS	0022	Review revised term sheet and plan documents (1.2); telephone calls and emails with Akin and Jefferies team (.8).	2.00
11/19/13	KME	0022	Review and revise draft POR (2.9, .4, .3); review and revise draft DS (3.2, 1.2, .4); review signature pages for term sheet (.3); coordination regarding execution of same (.2); review of revised term sheet (.3).	9.20
11/19/13	DIF	0022	Review and comment on plan (1.8), DS (2.3) and solicitation motion (.5).	4.60
11/19/13	SDS	0022	Review, revise and distribute Subscription Agreement (3.5); calls and correspondence with internal team regarding same (.7).	4.20
11/20/13	SLS	0022	Review execution version of the settlement stipulation (.2); telephone call with B. Reddy regarding same (.2); communication to working group regarding signature pages (.1); communication to M. McDermott regarding Robertson issues (.1); review revised disclosure statement (1.0); telephone call with M. McDermott regarding Robertson issues (.2); review further revised disclosure statement (2.0); communication with Jefferies team regarding disclosure statement comments (.2, .2, .1); telephone call with M. Phillips regarding potential resolution of Robertson issues (.2); telephone call with K. Eide and D. Fisher regarding status of disclosure statement review (.2); review subscription agreement (1.3); telephone calls with M. Stamer regarding draft plan (.1, .1, .2); telephone call with Akin working group regarding subscription agreement (.3); communication to Skadden team regarding same (.1); communications to S. Elberg regarding proposed effective date (.1, .1); follow-up communication to D. Fisher regarding subscription agreement timeline (.1).	7.10
11/20/13	MSS	0022	Review revised plan and DS and related documents (1.8); telephone calls and emails with Akin team and Jefferies team regarding same (.8).	2.60
11/20/13	SEO	0022	Review correspondence regarding DS and plan issues.	0.20
11/20/13	KME	0022	Confer with AG team regarding DS markup (.1); review same (.2); review Jefferies comments to DS (.4); follow-up regarding same (.2); review and revise DS (2.9); review of subscription agreement (.4); call with AG team regarding same (.2).	4.40
11/20/13	KME	0022	Research regarding plan term sheet issue (.7); call regarding subscription agreement (.2).	0.90
11/20/13	DIF	0022	Review and comment on disclosure statement and Subscription Agreement.	4.10
11/20/13	SDS	0022	Review, revise and distribute Subscription Agreement (3.5); calls and correspondence with internal team regarding same (.8).	4.40
11/20/13	JKL	0022	Review disclosure statement.	0.70
11/21/13	SLS	0022	Telephone call with M. McDermott regarding plan related matters (.3); telephone call with C. Okike and J. Lanz regarding same (.5); review financing term sheet for plan (.9); telephone call with M. Stamer regarding same (.2); review additional risk factors for disclosure statement (.6); communication with Skadden team regarding same (.2); communications with Akin team regarding tax disclosures (.2); communication to working group regarding revised plan documents (.2); preliminary review of revised plan (.2); preliminary review of revised disclosure statement (.2).	3.50
11/21/13	HBJ	0022	Follow-up on Plan/Disclosure statement edits to reflect agreement of	0.30

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>		<u>Hours</u>
11/21/13	MSS	0022	parties. Review relevant plan and disclosure statement related materials (1.2); telephone calls and emails with Akin and Jefferies teams and client representatives (.8).	2.00
11/21/13	SEO	0022	Review revised term sheet.	0.20
11/21/13	KME	0022	Coordination regarding collection of term sheet signature pages (.3); multiple conferences with AG team regarding plan and disclosure statement issues (.5); review of revised draft plan and disclosure statement (1.1); review draft term sheet for new credit facility (.3).	2.20
11/21/13	DIF	0022	Review plan and DS (2.6) and credit facility term sheet (.6).	3.20
11/22/13	SLS	0022	Review and comment on revised plan (.7); review and comment on revised disclosure statement (.7); communication to Akin team regarding plan documents (.2); participate in call with Akin and Skadden teams regarding open securities related issues associated with the plan (.5); communication with B. Kim regarding credit facility term sheet (.2).	2.30
11/22/13	HBJ	0022	Review Plan and Disclosure statement drafts (1.4) and discuss with B. Morris (.2).	1.60
11/22/13	SBK	0022	Multiple emails with D. Fisher regarding plan requirement for creditors to sign LLC agmt (.3); Review files regarding backstop funding commitment letters (.8); Email to D. Fisher regarding same (.2).	1.30
11/22/13	BK	0022	Review of term sheet for credit facility.	1.30
11/22/13	KME	0022	Review and circulate executed term sheet (.3); multiple conferences with AG team regarding plan and DS issues (.7); revise and edit plan and DS (2.6, 2.4); review of credit facility term sheet (.3, .2); confer with Jefferies team regarding same (.1); emails regarding solicitation issues (.2).	6.80
11/22/13	DIF	0022	Analyze securities issues related to plan (.6) and review Plan/DS/Subscription Agreement issues and comment on same (4.3).	4.90
11/22/13	BTM	0022	Review and revise plan and disclosure statement (5.7); review and revise subscription agreement (.2).	5.90
11/23/13	SLS	0022	Communications with Akin team regarding revised disclosure statement comments (.2, .1, .2); email to J. Lanz regarding same (.2); communications regarding distribution of documents to UCC (.2); review and further comments regarding subscription agreement (.3); respond to UCC question regarding plan and disclosure statement (.2).	1.40
11/23/13	HBJ	0022	Reviewing tax provisions of Plan and Disclosure Statement and exchanging comments with calls with B. Morris regarding same (1.5); Review and edit Subscription Agreement and comments to D. Fisher (.5).	2.00
11/23/13	SBK	0022	Emails/calls with D. Fisher regarding rights offering logistics.	0.20
11/23/13	KME	0022	Multiple emails regarding plan and DS issues (.6, .3); emails with AG team regarding subscription agreement (.2); revise and edit plan and DS (1.8, .3); revise and edit credit facility term sheet (.6, .2); confer with AG team regarding same (.2).	4.20
11/23/13	DIF	0022	Review and comment on Plan and DS (2.1); discuss Subscription Agreement issues with Kuhn (.3).	2.40
11/23/13	JSS	0022	Review amended credit facility term sheet (.6); email to K. Eide regarding same (.1).	0.70
11/23/13	BTM	0022	Review and revise subscription agreement.	1.00
11/24/13	SLS	0022	Review and comment on plan documents (1.5); communication with Akin and Jefferies teams regarding credit facility term sheet (.2); communication with M. Stamer regarding plan documents (.2); telephone call with K. Eide regarding same (.2); numerous communications to coordinate comments to plan documents (.1, .1, .2, .2).	2.60
11/24/13	HBJ	0022	Reviewing additional revisions to documents (1.1), discuss with B. Morris (.2) and forward to Bankruptcy team (.1).	1.40

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>		<u>Hours</u>
11/24/13	KME	0022	Emails regarding solicitation issues (.2); review solicitation materials (.7); revise and edit plan and DS (2.8, .4); confer with S. Schultz regarding same (.1); revise and edit subscription agreement (.6, .3); revise and edit credit facility term sheet (.2).	5.30
11/24/13	DIF	0022	Review and comment on Plan (1.1), DS (1.3) and Subscription Agreement (1.2).	3.60
11/24/13	JSS	0022	Prepare pdf versions of plan documents submitted by Debtors (.5); send same to S. Schultz (.1); review ballots, solicitation motion/order and disclosure statement (2.8); multiple emails to S. Schultz and K. Eide regarding same (.4).	3.80
11/24/13	BTM	0022	Review and revise disclosure statement.	2.30
11/25/13	SLS	0022	Review revisions to plan and disclosure statement (1.7); telephone calls with K. Eide regarding same (.2, .2); communications with D. Fisher regarding same (.2); telephone calls with N. Brown regarding same (.2, .1, .2); participate in all hands call regarding plan documents (.5); review proposed revised Paul Weiss language (.2); telephone call with D. Fisher regarding same (.1, .1); draft proposed response to same (.2); numerous communications with Paul Weis, Akin and Skadden team regarding distribution language (1.0).	4.90
11/25/13	HBJ	0022	Review tax comments to disclosure statement (.4) and emails with Skadden tax regarding same (.2).	0.60
11/25/13	KME	0022	Revise and edit plan and (1.2, 1.8); call with consenting parties regarding plan and DS (.5); multiple conferences with AG and Jefferies teams regarding plan and DS issues (.7); further review of solicitation materials (2.6).	6.80
11/25/13	DIF	0022	All hands call (.5); review and comment on plan related documents (3.4).	3.90
11/25/13	JSS	0022	Review Plan and Disclosure Statement (.9); participate in call with professionals regarding outstanding issues in Plan documents (.5).	1.40
11/25/13	JKL	0022	Review motions to approve the disclosure statement.	0.20
11/25/13	BTM	0022	Review and revise disclosure statement.	1.30
11/26/13	SLS	0022	Communications with D. Fisher regarding 1145 language (.5); communication to R. Morgner regarding deficiency claim calculation (.2); review revised plan (.5, .4, .4); review revised disclosure statement (.5, .4, .3); review revisions to subscription agreement (.3, .2); communications with D. Fisher regarding same (.1); communications with R. Morgner regarding same (.1); telephone call with S. Elberg regarding same (.2); telephone call (.1) and email (.1) to A. Gamza regarding comments to plan and disclosure statement; review revised disclosure statement order (.3, .2); telephone call with M. Stamer regarding next steps (.2); telephone call with committee member regarding plan process (.2); telephone call with working group regarding open issues with plan documents (.4); numerous communications with M. Phillips and Skadden team regarding subscription agreement (.2, .1, .1); call with M. Stamer regarding plan status (.1); telephone call with K Eide regarding same (.1); telephone call with J. Lanz regarding same (.1); review filing version of plan and related documents (2.0).	8.30
11/26/13	HBJ	0022	Discussions and emails with B. Morris regarding revised Plan and Disclosure Statement and brief review of edits.	0.50
11/26/13	BK	0022	Review of term sheet (1.9) and call with group (.3).	2.10
11/26/13	KME	0022	Review plan, DS and related documents (3.3, 2.8, 3.1); multiple calls and emails regarding same (1.1).	10.30
11/26/13	DIF	0022	Attention to all Plan related documents (10.2); calls and finalize Plan and DS (1.6).	11.80
11/26/13	JSS	0022	Review plan documents (.3); email to K. Eide regarding same (.1).	0.40
11/26/13	BTM	0022	Review and revise disclosure statement.	3.30
11/27/13	SLS	0022	Communications with Akin team regarding distribution of plan related	2.90

<u>Date</u>	<u>Tkpr</u>	<u>Task</u>		<u>Hours</u>
			documents to various parties (.5); telephone call with bondholder regarding plan structure (.3); telephone call with UCC member regarding plan (.4); numerous communications with Akin and Jefferies teams regarding next steps for plan process (1.7).	
11/27/13	HBJ	0022	Review edits to Plan and Disclosure Statement for filing (.6) and emails regarding edits with B. Morris (.2).	0.80
11/27/13	KME	0022	Review and circulate filed copies of solicitation motion (.2); respond to inquiry from Committee member regarding solicitation issues (.2).	0.40
11/27/13	JKL	0022	Assemble book regarding DS and Plan documents.	0.40
11/27/13	DIF	0027	Analyze post-filing issues (1.2); discuss with holders (.2).	1.40
			Total Hours	311.20

Exhibit B

**EXCEL MARITIME CARRIERS LTD., *et al.*
NOVEMBER 1, 2013 THROUGH NOVEMBER 30, 2013**

PARTNERS	DEPARTMENT	STATE/COUNTRY OF BAR ADMISSION – YEAR	HOURS	HOURLY BILLING RATE	AMOUNT
Michael S. Stamer	Financial Restructuring	New Jersey – 1989 New York - 1990	31.20	\$1100.00	\$34,320.00
Sarah L. Schultz	Financial Restructuring	Texas - 2001	60.10	\$850.00	\$51,085.00
Sean E. O'Donnell	Litigation	New York - 1998	4.50	\$870.00	\$3,915.00
Howard B. Jacobson	Tax	District of Columbia – 1979	7.20	\$770.00	\$5,544.00
Daniel I. Fisher	Corporate	New York – 2003 District of Columbia – 2006	53.50	\$775.00	\$41,462.50
Stephen B. Kuhn	Corporate	New York - 1991	1.50	\$850.00	\$1,275.00
Brian Kim	Corporate	New York – 2001	3.40	\$850.00	\$2,890.00
SENIOR COUNSEL & COUNSEL	DEPARTMENT	STATE/COUNTRY OF BAR ADMISSION – YEAR	HOURS	HOURLY BILLING RATE	AMOUNT
Sunny Gulati	Litigation	New York - 2004	0.30	\$665.00	\$199.50
Spencer D. Smith	Corporate	New York - 2006	12.70	\$635.00	\$8,064.50
ASSOCIATES	DEPARTMENT	STATE/COUNTRY OF BAR ADMISSION – YEAR	HOURS	HOURLY BILLING RATE	AMOUNT
Kevin M. Eide	Financial Restructuring	California – 2009 District of Columbia - 2011	78.60	\$650.00	\$51,090.00
Roxanne Tizravesh	Litigation	New York - 2009	0.20	\$580.00	\$116.00
Jason S. Sharp	Financial Restructuring	Texas - 2012	30.70	\$400.00	\$12,280.00
Brandon T. Morris	Tax	New York - 2009	13.80	\$475.00	\$6,555.00

LEGAL ASSISTANTS	DEPARTMENT		HOURS	HOURLY BILLING RATE	AMOUNT
Jacqueline K. Lewis	Financial Restructuring		12.70	\$205.00	\$2,603.50
Brenda R. Kemp	Financial Restructuring		0.80	\$225.00	\$180.00
TOTAL FEES			311.20		\$221,580.00

Exhibit C

EXCEL MARITIME CARRIERS LTD., *et al.*
DISBURSEMENT SUMMARY
NOVEMBER 1, 2013 THROUGH NOVEMBER 30, 2013

Bank Fees & Charges	\$13.20
Courier Service/Messenger Service- Off Site	\$182.26
Duplication - In House	\$54.30
Miscellaneous	\$1,055.80
Meals - Business	\$23.17
Meals (100%)	\$172.46
Professional Fees - Outside Counsel	\$7,482.51
Professional Fees - Process Server	\$95.00
Telephone - Long Distance	\$421.00
Travel- Airfare	\$705.51
Travel- Ground Transportation	\$460.58
Travel - Telephone & Fax	\$12.94
Travel - Train Fare	\$181.00
TOTAL	\$10,859.73

Exhibit D

KONSTANTINOS S. ISSAIAS
PARTNER



KYRIAKIDES GEORGOPoulos
Law Firm

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Tel.: +30 210 817 1616, Mobile: +30 6941 401971

Fax: +30 210 685 6657/8
E-mail: k.issaias@kglawfirm.gr

November 28th, 2013

To
**OFFICIAL COMMITTEE OF UNSECURED CREDITORS
OF EXCEL MARITIME CARRIERS LTD., ET AL.**
c/o Akin Gump Strauss Hauer & Feld LLP
One Bryant Park
NY 0036-6745
New York
U.S.A.

Attn.: Mr. Kevin Eide

Dear Kevin,

Please find herewith our Statement of Fees and Expenses for services rendered regarding the above matter for the month of **October 2013**.

Due to tax regulations, please note that **seven (7) days** after receipt of current statement of fees, **we shall issue and send you our tax invoice** corresponding to this bill. If you have any **comments**, please **let us know in time and in any event prior to the issuance of our invoice**.

Thanking you for your kind co-operation.-

Sincerely yours,

A handwritten signature in black ink.

Konstantinos S. Issaias

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Thessaloniki: 17, Ethnikis Antistasseos str. • GR-55134 • Tel.: +30 2310 478640-50-60-70 • Fax: +30 2310 455126



KYRIAKIDES GEORGOPoulos
Law Firm

KONSTANTINOS S. ISSAIAS
PARTNER

Athens Office
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Fax: +30 210 685 6657/8
E-mail: k.issaias@kglawfirm.gr

November 28th, 2013

To
**OFFICIAL COMMITTEE OF UNSECURED CREDITORS
OF EXCEL MARITIME CARRIERS LTD., ET AL.**
c/o Akin Gump Strauss Hauer & Feld LLP
One Bryant Park
NY 0036-6745
New York
U.S.A.

**STATEMENT OF FEES & EXPENSES
FOR THE MONTH OF OCTOBER 2013**

I. FEES

Total time involved: 119,00 hrs

For Partners (18,25 hrs x € 280/h)	€	5.110,00.-
For Junior Associates (3,000 hrs x € 120/h)	€	360,00.-
Total fees	€	5.470,00.-

II. EXPENSES

For Embassy legalisation fees	€	38,00.-
Total fees and expenses	€	5.508,00.-
or	US\$ⁱ	7,482.51.-

(Say: EURO Five Thousand Five Hundred and Eight or US\$ Seven Thousand Four Hundred Eighty Two and Fifty One Cents).-

KYRIAKIDES GEORGOPoulos
LAW FIRM

By: _____
Konstantinos S. Issaias

ⁱ Today's exchange rate 1€ = 1.35848 US\$



STATEMENT OF FEES
PROJECT: UCC - INSOLVENCY [70-30011826-001]
CUSTOMER: AKIN GUMP STRAUSS HAUER & FELD LLP [30011826]
PERIOD FROM: Tuesday, 01/10/2013 TO: Thursday, 31/10/2013

Date	Lawyer	Grade	Hours	Price /Hour	Value	Explanation
Tuesday, 01/10/2013	AVRAMIDOU Katerina	PARTNER	0,50 x 280,00 =	140,00 €		Reviewing and revising of Exhibit B, finalising Section V of the memo reviewing provisions of the Credit Agreement and its Amendments drafting Section VI
Tuesday, 01/10/2013	ISSAIAS Konstantinos	PARTNER	0,50 x 280,00 =	140,00 €		Admin. issues - revised draft engagement letter from Mr. Kevin Eide. E-mails Mr. Jaisohn Im - cooperation V. Koutsopoulou. Reviewing our draft analysis on section V Reviews re possible extension of mortgage cover according to the various mortgages / laws applicable per each jurisdiction Tel. Mr. Jaisohn Im Draft sections of memorandum Cooperation K. Avramidou - V. Koutsopoulou - sending initial drafts to clients.
Tuesday, 01/10/2013	KOUTSOPOULOU Vasiliki	JUNIOR ASSOCIATE	0,50 x 120,00 =	60,00 €		ExcelMaritime: Review of documents - co operation with Mr. Issaias - multiple e-mails to Mr. Im - call with Mr. Im.
Wednesday, 02/10/2013	ISSAIAS Konstantinos	PARTNER	0,50 x 280,00 =	140,00 €		Tel. Mr. Kevin Eide re administrative issues re engagement letter. E-mails Mr. Jaisohn Im. Checking - correcting our draft sections of the memorandum - cooperation V. Koutsopoulou. E-mails Mr. Jaisohn Im - sending our corrected draftsections of the memorandum.
Wednesday, 02/10/2013	KOUTSOPOULOU Vasiliki	JUNIOR ASSOCIATE	0,50 x 120,00 =	60,00 €		Review of documents - co operation with Mr. Issaias - multiple e-mails to Mr. Im - call with Mr. Im.
Thursday, 03/10/2013	AVRAMIDOU Katerina	PARTNER	0,50 x 280,00 =	140,00 €		Receiving queries on whether a mortgage provide a security interest
Thursday, 03/10/2013	ISSAIAS Konstantinos	PARTNER	0,50 x 280,00 =	140,00 €		Re extension of mortgage coverage cooperation K. Avramidou - V. Koutsopoulou. E-mail exchanges Mr. Jaisohn Im the vessel -

Date	Lawyer	Grade	Hours	Price /Hour	Value	Explanation
Thursday, 03/10/2013	KOUTSOPOULOU Vasiliki	JUNIOR ASSOCIATE	0,50 x 120,00 =	60,00 €		Review of documents - co operation with Mr. Issaias.
Friday, 04/10/2013	ISSAIAS Konstantinos	PARTNER	0,50 x 280,00 =	140,00 €		Appointment with US Embassy to proceed to the verified statement needed in the insolvency proceedings. E-mails - draft verified statement and letter to the United States Trustee's office. E-mails Mr. Kevin Eide E-mails Mr. Kevin Eide - revised draft of the perfection memo incorporating your drafts
Monday, 07/10/2013	AVRAMIDOU Katerina	PARTNER	0,50 x 280,00 =	140,00 €		Obtaining and reviewing revised draft of the perfection memo prepared by Akin Gump incorporating our drafts, commenting thereon , cutting down wording from
Monday, 07/10/2013	ISSAIAS Konstantinos	PARTNER	0,25 x 280,00 =	70,00 €		Cooperation K. Avramidou - V. Koutsopoulou - draft memo sections to Mr. Jaisohn Im. E-mail updates - exchanges Mr. Jaisohn Im re amending the description sections etc. Letter to the United States Trustee - darfts - exchanges with Mr. Kevin Eide. E-mails Mr. Jaisohn Im re Ore Hansa (claim against a third party ship in connection with a collision).
Tuesday, 08/10/2013	AVRAMIDOU Katerina	PARTNER	0,50 x 280,00 =	140,00 €		Receiving a request for advice on another perfection issue in connection with Ore Hansa providing our advice on the query.
Tuesday, 08/10/2013	ISSAIAS Konstantinos	PARTNER	0,50 x 280,00 =	140,00 €		Letter to the United States Trustee's office Draft Verified statement re engagement. E-mails Mr. Kevin Eide.
Wednesday, 09/10/2013	ISSAIAS Konstantinos	PARTNER	1,50 x 280,00 =	420,00 €		Appointment for the issuance of the verified statement at the U.S. Embassy of Athens. E-mails Mr. Jaisohn Im on matter of security interest in collision claims.
Friday, 11/10/2013	ISSAIAS Konstantinos	PARTNER	0,75 x 280,00 =	210,00 €		E-mails Mr. Jaisohn Im - current draft of the perfection memo - reviews.
Monday, 14/10/2013	ISSAIAS Konstantinos	PARTNER	1,75 x 280,00 =	490,00 €		E-mail Mr. Jasohn Im re security interest in mortgages for collision claims. under the ship
Tuesday, 15/10/2013	AVRAMIDOU Katerina	PARTNER	0,50 x 280,00 =	140,00 €		Reviewing query about to a colision of Ore Hansa, providing our legal advice thereon.
Tuesday, 15/10/2013	ISSAIAS Konstantinos	PARTNER	2,25 x 280,00 =	630,00 €		E-mails Mr. Jaisohn Im re security interest
Wednesday, 16/10/2013	ISSAIAS Konstantinos	PARTNER	1,50 x 280,00 =	420,00 €		Re security interest created with the mortgage regarding E-mails Mr. Jaisohn Im re Ore Hansa mortgage documents

Date	Lawyer	Grade	Hours	Price /Hour	Value	Explanation
Thursday, 17/10/2013	ISSAIAS Konstantinos	PARTNER	2,25 x 280,00 =	630,00 €		Cooperation K. Avramidou - V. Koutsopoulou on security interests. E-mails. Tel. call Mr. Jasohn Im - update.
Thursday, 17/10/2013	KOUTSOPOULOU Vasiliki	JUNIOR ASSOCIATE	1,50 x 120,00 =	180,00 €		Review of documents
Friday, 18/10/2013	AVRAMIDOU Katerina	PARTNER	3,00 x 280,00 =	840,00 €		Obtaining and reviewing for perfection memo in combination with documents available, providing our comments thereon, noting also findings as to the vessels and requesting advice in connection thereto. Conferring with K. Issaias on the contents of Section V and also on reviewing and completing in reviewed pursuant to the Senior Secured Credit Facility dated April 14, 2008 and the Guaranty dated April 15, 2008.
Total			21,25	5.470,00 €		

Total per Grade		
Grade	Hours	Value
PARTNER	18,25	5.110,00 €
JUNIOR ASSOCIATE	3,00	360,00 €
Total	21,25	5.470,00 €



KYRIAKIDES GEORGOPoulos
Law Firm

STATEMENT OF EXPENSES

PROJECT: UCC - INSOLVENCY [70-30011826-001]

CUSTOMER: AKIN GUMP STRAUSS HAUER & FELD LLP [30011826]

PERIOD FROM: Tuesday, 01/10/2013 TO: Thursday, 31/10/2013

Date	Description of Expense	Explanation	Value
Thursday, 31/10/2013	Embassy legalisation fee		38,00 €
Total			38,00 €